

The Senate Insurance and Labor Committee offered the following substitute to SB 509:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to general insurance provisions, so as to establish the Special Advisory Commission on Mandated Health Insurance Benefits; to provide for its membership, terms, meetings, and duties; to provide for review of proposed legislation containing a mandated health insurance benefit or provider; to provide for review of existing mandated health insurance benefits or providers; to provide for staff assistance; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to general insurance provisions, is amended by adding a new Code section to read as follows:

"33-1-19.

(a) The Special Advisory Commission on Mandated Health Insurance Benefits is hereby established, effective February 1, 2011, to advise the Governor and the General Assembly on the social and financial impact of current and proposed mandated benefits and providers, in the manner set forth in this Code section. The advisory commission shall be composed of 15 members and three ex officio members. Eleven members shall be appointed by the Governor on or after February 1, 2011, as follows: one family practice physician, one physician who is a specialist in chronic disease, one chief medical officer of a general, acute care hospital, one allied health professional, one representative of small business, one representative of a major industry, one expert in the field of medical ethics, two representatives of the accident and health insurance industry, and two citizen members. The President of the Senate shall appoint one member from the Senate Health and Human Services Committee and one member from the Senate Insurance and Labor Committee, and the Speaker of the House of Representatives shall appoint one member from the House Committee on Health and Human Services and one member from the House Committee

on Insurance. The commissioner of community health, the Commissioner of Labor, and the Commissioner of Insurance shall serve as ex officio, nonvoting members. All members shall be appointed for terms of four years each, except that appointments to fill vacancies shall be made for the unexpired terms.

(b) No person shall be eligible to serve for or during more than two successive four-year terms; but after the expiration of a term of two years or less, or after the expiration of the remainder of a term to which appointed to fill a vacancy, two additional four-year terms may be served by such a member if so appointed.

(c) The advisory commission shall meet regularly and at the request of the Governor. The first meeting of the advisory commission shall be held no later than March 1, 2011, at which time the advisory commission shall select a chairperson and a vice chairperson, as determined by the membership.

(d) The advisory commission shall:

(1) Develop and maintain, with the Department of Insurance, a system and program of data collection to assess the impact of mandated benefits and providers, including costs to employers and insurers, impact of treatment, cost savings in the health care system, number of providers, and other data as may be appropriate;

(2) Advise and assist the Department of Insurance on matters relating to mandated insurance benefits and provider regulations;

(3) Prescribe the format, content, and timing of information to be submitted to the advisory commission in its assessment of proposed and existing mandated benefits and providers. Such format, content, and timing requirements shall be binding upon all parties submitting information to the advisory commission in its assessment of proposed and existing mandated benefits and providers;

(4) Provide assessments of proposed and existing mandated benefits and providers and other studies of mandated benefits and provider issues as requested by the General Assembly;

(5) Provide additional information and recommendations, relating to any system of mandated health insurance benefits and providers, to the Governor and the General Assembly, upon request; and

(6) Report annually on its activities to the joint standing committees of the General Assembly having jurisdiction over insurance by December 1 of each year.

(e) Members of the advisory commission shall receive for their attendance of meetings of the advisory commission the allowances authorized for legislative members of interim legislative committees pursuant to Code Section 28-1-8.

(f)(1) Whenever legislation containing a mandated health insurance benefit or provider is proposed, the standing committee of the General Assembly having jurisdiction over the

64 proposal shall request that the advisory commission prepare and forward to the Governor
65 and the General Assembly a study that assesses the social and financial impact and the
66 medical efficacy of the proposed mandate. The advisory commission shall be given a
67 period of six months, or until commencement of the next General Assembly, whichever
68 is longer, to complete and submit its assessment.

69 (2) The advisory commission shall assess the social and financial impact and the medical
70 efficacy of existing mandated benefits and providers in effect as of January 1, 2011. The
71 advisory commission shall submit a schedule of evaluations to the standing committees
72 of the General Assembly having jurisdiction over health insurance matters by May 1,
73 2011, setting forth the dates by which particular mandates shall be evaluated by the
74 advisory commission. The evaluations shall be completed and submitted to such standing
75 committees no later than December 31, 2011.

76 (g) The Department of Insurance, the Department of Labor, the Department of Community
77 Health, and such other state agencies as may be considered appropriate by the advisory
78 commission shall provide staff assistance to the advisory commission."

79 **SECTION 2.**

80 All laws and parts of laws in conflict with this Act are repealed.